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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,282	04/04/2005	Terence Dominic Gillam	15943US	9700

23676 7590 07/02/2007
SHELDON MAK ROSE & ANDERSON PC
100 East Corson Street
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PASADENA, CA 91103-3842

EXAMINER

HOOK, JAMES F

ART UNIT	PAPER NUMBER
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3754

MAIL DATE	DELIVERY MODE
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07/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,282

Applicant(s)

GILLAM, TERENCE DOMINIC

Examiner

James F. Hook

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/21/05; 12/28/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

It is noted that the Australian priority document has not been received and since applicant most likely has a copy of this document in their file it is requested that a photo copy please be sent with any response to this office action so that such can be placed in the US application file. Only a photocopy is needed of this document as long as the original has already been filed with the Australian PCT application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8, 9, 11, and 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ibak (DE 20207638).

Claims 8, 9, 11, and 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sugiyama (JP 08159978).

Claims 1, 2, 4, 6, 15, 16, 18, 20, 22, 23, 26, and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Barton (761).

Claims 1, 2, 4, 6, 8, 9, 11, 13, 15, 16, 18, 20, 22, 23, 25, and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lange (398).

Claims 8, 9, 11, and 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Mathison (728).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, 7, 17, 19, 21, 24, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barton (761) in view of Mathison (206). The reference to Barton discloses all of the recited structure with the exception of providing the inflatable bladder with spaced ribs. The reference to Mathison discloses that it is old and well known in the art to provide an inflatable bladder with spaced ribs or that such can be formed without ribs provided to avoid irregularities in the surface of the pipe and improve the seal. It would have been obvious to one skilled in the art to modify the inflatable bladder in Barton by providing the sleeve with ribs to improve the seal and allow better contact when the pipe has irregularities as suggested by Mathison where such would insure a better installation thereby saving money in premature failure and future repair costs.

Claims 3, 5, 7, 10, 12, 14, 17, 19, 21, 24, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lange in view of Mathison (206). The reference to Lange discloses all of the recited structure with the exception of providing

the inflatable bladder with spaced ribs. The reference to Mathison discloses that it is old and well known in the art to provide an inflatable bladder with spaced ribs or that such can be formed without ribs provided to avoid irregularities in the surface of the pipe and improve the seal. It would have been obvious to one skilled in the art to modify the inflatable bladder in Lange by providing the sleeve with ribs to improve the seal and allow better contact when the pipe has irregularities as suggested by Mathison where such would insure a better installation thereby saving money in premature failure and future repair costs.

Claims 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mathison (728) in view of Mathison (206). The reference to Mathison '728 discloses all of the recited structure with the exception of providing the inflatable bladder with spaced ribs. The reference to Mathison '206 discloses that it is old and well known in the art to provide an inflatable bladder with spaced ribs or that such can be formed without ribs provided to avoid irregularities in the surface of the pipe and improve the seal. It would have been obvious to one skilled in the art to modify the inflatable bladder in Mathison '728 by providing the sleeve with ribs to improve the seal and allow better contact when the pipe has irregularities as suggested by Mathison '206 where such would insure a better installation thereby saving money in premature failure and future repair costs.

Claims 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ibak (DE 20207638) in view of Mathison (206). The reference to Ibak discloses all of the recited structure with the exception of providing the inflatable bladder

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with spaced ribs. The reference to Mathison '206 discloses that it is old and well known in the art to provide an inflatable bladder with spaced ribs or that such can be formed without ribs provided to avoid irregularities in the surface of the pipe and improve the seal. It would have been obvious to one skilled in the art to modify the inflatable bladder in Ibak by providing the sleeve with ribs to improve the seal and allow better contact when the pipe has irregularities as suggested by Mathison '206 where such would insure a better installation thereby saving money in premature failure and future repair costs.

Claims 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (JP 08159978) in view of Mathison (206). The reference to Sugiyama discloses all of the recited structure with the exception of providing the inflatable bladder with spaced ribs. The reference to Mathison '206 discloses that it is old and well known in the art to provide an inflatable bladder with spaced ribs or that such can be formed without ribs provided to avoid irregularities in the surface of the pipe and improve the seal. It would have been obvious to one skilled in the art to modify the inflatable bladder in Sugiyama by providing the sleeve with ribs to improve the seal and allow better contact when the pipe has irregularities as suggested by Mathison '206 where such would insure a better installation thereby saving money in premature failure and future repair costs.

Conclusion

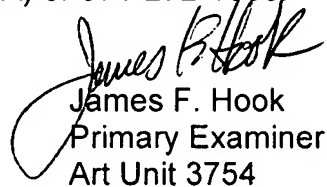
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references to Tash, Fisco, Walsh, Tweedie, Warmerdam (535 and 015), and Blackmore disclosing state of the art inflatable devices including for applying inner patches to pipes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James F. Hook whose telephone number is (571) 272-4903. The examiner can normally be reached on Monday to Wednesday, work at home Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


James F. Hook
Primary Examiner
Art Unit 3754

JFH